

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOY TECHNOLOGIES, INC. and
JOY MM DELAWARE, INC.,

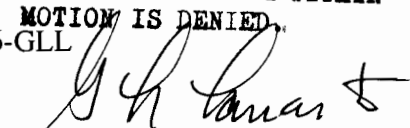
Plaintiff,

v.

NORTH AMERICAN REBUILD CO., INC.,

Defendant.

Case No. 2:05-cv-01066-GLL

AND NOW, THIS 9th DAY OF
Sept, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS DENIED.

GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

ELECTRONICALLY FILED

MOTION FOR RECONSIDERATION

AND NOW COMES Defendant, North American Rebuild Co., Inc., ("NARCO") by its attorneys, Dickie, McCamey & Chilcote, P.C. and respectfully requests this Court reconsider the Order of September 2, 2011 for the following reasons:

1. On August 19, 2011, Joy Technologies, Inc. and Joy MM Delaware, Inc. ("Joy") filed its Motion for Civil Contempt.
2. Thereafter, on August 22, 2011, this Court issued an Order instructing Defendant to respond to the Motion on or before September 6, 2011 and further setting a hearing date on Plaintiff's Motion for September 15, 2011.
3. On August 31, 2011, Defendant filed its Motion for Brief Continuance asking that the hearing be postponed into the following week or the week thereafter insofar as Mark Grimmett, an executive with NARCO, was scheduled to attend the Bluefield Coal Show, the largest coal show in the Eastern United States, which occurs during the week of September 12, 2011 (the "Show").
4. NARCO will face substantial hardship and prejudice if the hearing proceeds as scheduled for the reasons set forth herein and in the Affidavit of Mark Grimmett, Vice President and Treasurer of NARCO, a copy of which is attached hereto as **Exhibit A**.